



04-15-04

JFW 1645

PTO/SB/21 (08-03)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

6 + 6
Refs

Application Number

10/024,652

Filing Date

December 17, 2001

First Named Inventor

Pia M. CHALLITA-EID

Art Unit

1645

Examiner Name

Not Yet Assigned

Attorney Docket Number

511582002500

ENCLOSURES (Check all that apply)☐ Fee Transmittal Form☐ Fee Attached☐ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☒ Information Disclosure Statement, 3
pages☐ Certified Copy of Priority
Document(s)☐ Response to Missing Parts/
Incomplete Application☐ Response to Missing Parts
under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application☐ Power of Attorney, Revocation
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☒ CD, Number of CD(s) 1
Containing Refs 3 & 4☐ After Allowance Communication
to Group☐ Appeal Communication to Board of
Appeals and Interferences☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please
identify below):Form 1449, 1 page in duplicate
(6) References, including ISR
Return Postcard

Remarks

CUSTOMER NO. 25225**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**Firm
or
Individual nameMORRISON & FOERSTER LLP
James J. Mullen, III - 44,957

Signature

Date

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EL 983652316 US, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 4-13-04

Signature: Rhea Amid (Rhea Amid)



PATENT
Docket No. 511582002500

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

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Rhea Amid

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Pia M. CHALLITA-EID et al.

Serial No.: 10/024,652

Filing Date: December 17, 2001

For: NUCLEIC ACID AND ENCODED ZINC
TRANSPORTER PROTEIN ENTITLED
108P5H8 USEFUL IN TREATMENT
AND DETECTION OF CANCER

Examiner: Not Yet Assigned

Group Art Unit: 1645

SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of document numbers 3 and 4 are submitted herewith on CD-R due to length. The Examiner is requested to make these documents of record.

The document numbers 1, 2, 5, 6 and 8 listed on the attached Form PTO-1449 were cited in an International Search Report mailed on May 7, 2003 (copy attached) directed to a counterpart international or foreign application.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of __ is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of __ is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search

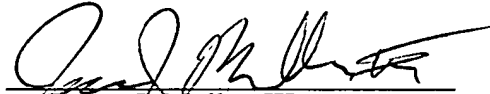
has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. §1.17(p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing 511582002500. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: April 13, 2004

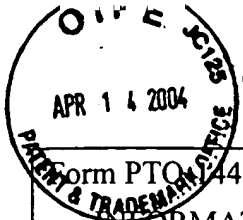
Respectfully submitted,

By:



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Form PTO/SB/08 (2-92)

Docket Number 511582002500

Application Number 10/024,652

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

Applicant

Pia M. CHALLITA-EID. et al

(Use several sheets if necessary)

Filing Date December 17, 2001

Group Art Unit 1645

Mailing Date April 13 2004

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	1.	09/1997 /	WO 9733602	WIPO			
	2.	03/2002 /	WO 200224718	WIPO			
	3.	08/2002 4	WO 200260953	WIPO			
	4.	06/2003 7	WO 2003050236	WIPO			

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	5.	Huang et al., Nature Genetics (1997) 17(3):292-297
	6.	Hwang et al., Seminars in Oncology (1999) 26(2):192-201
	7.	International Search Report mailed on May 7, 2003 for, PCT patent application no. PCT/US01/49133 filed on December 17, 2001, 6 pages.
	8.	Southwood et al., Journal of Immunology (1998) 160(7):3363-3373

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.